



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,865	10/11/2004	HUNG-CHANG TSENG		5864

7590 08/23/2010
HUNG-CHANG TSENG
BATON DIGITAL ELECTRONIC TECH. CO., LTD.
P.O. BOX 108-00403
TAIPEI, 106
TAIWAN

EXAMINER

HEYMAN, JOHN S

ART UNIT	PAPER NUMBER
----------	--------------

2871

MAIL DATE	DELIVERY MODE
-----------	---------------

08/23/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/711,865	Applicant(s) TSENG, HUNG-CHANG	
	Examiner JOHN HEYMAN	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: Cooperative relationship between the various elements recited. For example, there no cooperative relationship between gear track and the motor and the LCD panel; the LCD panel and the receiving space and the position of the panel. Also, reciting a functional limitation e.g. "can be moved" "can be positioned", in an apparatus claim renders the claim indefinite because the function may never take place. Dependent Claims 2-4 fail to overcome these deficiencies.

3. It is suggested that Claim 1 be rewritten as follows;

1. A hidden liquid crystal (LCD) device, suitable for a vehicle, comprising: a first headrest having a hidden hollow narrow receiving space with a bottom portion extending from a side of the headrest;

a gear track disposed at said bottom portion of said hidden hollow narrow receiving space of said first headrest; and

an LCD panel positioned inside said hidden hollow narrow receiving space and connected to a motor which is connected to a gear on said gear track so that said LCD

Art Unit: 2871

panel moves in and out of said hidden hollow narrow receiving space so as to be exposed in a positioned between said first headrest and a second headrest whereby passengers inside said vehicle can watch entertainment programs displayed on said LCD panel when said panel is between said first and second headrests.

4. Such a claim would be received favorably by the Examiner as overcoming any technical deficiency under 35 USC 112, and further, overcoming any prior art under the patentability statutes under 35 USC 102, 103 that has been uncovered to date. See below.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Imamura et al. (US 6,758,521) shows an LCD panel positioned between two head rests. This reference would be clearly avoided under the patentability statutes of 35 USC 102, 103 upon the above claim language being adopted.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN HEYMAN whose telephone number is (571)272-5730. The examiner can normally be reached on 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571- 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2871

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Heyman/
Primary Examiner, Art Unit 2871